

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

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**MATTHEW ORSO, in his capacity as court-  
appointed Receiver for Rex Venture Group, LLC  
d/b/a ZeekRewards.com, and NATIONWIDE  
JUDGMENT RECOVERY, INC., as successor in  
Interest to the Final Judgments entered against  
Net Winners,**

**Plaintiff,**

**vs.**

**TODD DISNER, in his individual capacity and in his  
capacity as trustee for Kestrel Spendthrift Trust;  
TRUDY GILMOND; TRUDY GILMOND, LLC;  
JERRY NAPIER; DARREN MILLER; RHONDA  
GATES; DAVID SORRELLS; INNOVATION  
MARKETING, LLC; AARON ANDREWS; SHARA  
ANDREWS; GLOBAL INTERNET FORMULA,  
INC.; T. LEMONT SILVER; KAREN SILVER;  
MICHAEL VAN LEEUWEN; DURANT  
BROCKETT; DAVID KETTNER; MARY  
KETTNER; P.A.W.S. CAPITAL MANAGEMENT  
LLC; LORI JEAN WEBER; and a Defendant Class  
of Net Winners in ZEEKREWARDS.COM;**

**Defendants.**

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**No. 3:14-cv-91  
ORDER**

This matter is before the Court upon Net Winner Vladimir Krepets' pro se Motion to Set Aside Judgment. (Doc. No. 1665). The successor in interest to the Final Judgments entered against Net Winners, National Judgment Recovery, has responded to Mr. Krepets' motion and no Reply has been filed. Accordingly, this motion is ripe for disposition.

Although Mr. Krepets' Motion does not indicate which subsection of Rule 60(b) he is proceeding under, he claims to be the victim of identity theft. The Court will therefore consider

Mr. Krepets' motion under Rule 60(b)(6), which authorizes the Court to relieve a party from final judgment for "any other reasons that justifies relief." It is a catchall provision that may be invoked in "extraordinary circumstances" when the reason for relief does not fall within the list of enumerated reasons given in Rule 60(b)(1)-(5). *Aikens v. Ingram*, 652 F.3d 496, 500 (4th Cir. 2011). The motion for relief must be made within a reasonable time, the movant must have a meritorious claim or defense, and the opposing party must not be unfairly prejudiced by having the judgment set aside. *Unites States v. Welsh*, 879 F.3d 530, 533 (4th Cir. 2018).

Mr. Krepet attaches to his Motion a 1099-MISC that he claims he received from Rex Venture Group LLC in 2013. He also attaches an identity theft report he filed with the FTC. On the report he states that he first discovered the identity fraud on "1/2020." The Court finds that the movant has failed to bring his motion within a reasonable time.

In addition, Mr. Krepets has failed to establish a meritorious defense. A meritorious defense requires a proffer of evidence which would permit a finding for the movant. *La Michoacana Nat., LLC v. Maestre*, No.3:17-cv-00727-RJC-DCK, 2020 WL 1233652, at \*3 (W.D.N.C. Mar. 12, 2020). Mr. Krepets' threadbare and conclusory allegations fail to justify the extraordinary relief sought.

IT IS THEREFORE ORDERED that the Motion to Set Aside Judgment (Doc. No. 1665) is hereby DENIED.

Signed: July 11, 2022



Graham C. Mullen  
United States District Judge

